

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

**VICTOR TILLMAN,**

**Plaintiff,**

**CIVIL ACTION NO. 08-CV-13685-DT**

**vs.**

**DISTRICT JUDGE ARTHUR J. TARNOW**

**DETROIT POLICE DEP'T,  
et al.,**

**MAGISTRATE JUDGE MONA K. MAJZOUN**

**Defendants.**

\_\_\_\_\_ /

**OPINION AND ORDER DENYING  
PLAINTIFF'S MOTIONS TO COMPEL**

This matter comes before the Court on Plaintiff's Motions to Compel filed on March 30, 2009 and April 9, 2009. (Docket nos. 12, 15). Defendants have responded. (Docket no. 20). All pretrial matters have been referred to the undersigned. (Docket no. 14). The Court dispenses with oral argument. E.D. Mich. LR 7.1(e). These motions are now ready for ruling.

This is a prisoner civil rights action. (Docket no. 1). These two motions are substantively the same. They both ask that the Court compel the Clerk of the Third Circuit Court to "release case no. 08-446 the transcript's [sic]" to Plaintiff for use in this civil action. (Docket nos. 12, 15). Plaintiff fails to allege or show that he has made a proper discovery request pursuant to the Federal Rules of Civil Procedure for these documents. A motion to compel the production of the documents pursuant to Fed. R. Civ. P. 37 is therefore premature. Plaintiff's Motions to Compel will therefore be denied.

**IT IS THEREFORE ORDERED** that Plaintiff's Motions to Compel (docket nos. 12, 15) are **DENIED**.

**NOTICE TO THE PARTIES**

Pursuant to Fed. R. Civ. P. 72(a), the parties have a period of ten days from the date of this Order within which to file any written appeal to the District Judge as may be permissible under 28 U.S.C. 636(b)(1).

Dated: April 29, 2009

s/ Mona K. Majzoub

MONA K. MAJZOUB

UNITED STATES MAGISTRATE JUDGE

**PROOF OF SERVICE**

I hereby certify that a copy of this Opinion and Order was served upon Victor Tillman and Counsel of Record on this date.

Dated: April 29, 2009

s/ Lisa C. Bartlett

Courtroom Deputy